

**Claims as Currently Pending**

1. (Currently amended) A wound clamp, comprising:
  - a) a body having a first half and a second half;
  - b) at least one hinge connecting the first half to the second half;
  - c) at least one spring biasing the first half against the second half about the hinge; and
  - d) a plurality of prongs associated with both the first half and the second half.

wherein the first half and the second half each contain cut out portions that form a central aperture when the first half and the second half are biased together by the spring.

2. Canceled

3. (Original) The wound clamp of claim 1 wherein the body comprises a lubricious material.

4. (Original) The wound clamp of claim 1 wherein the body comprises a luminous material.

5. (Currently amended) The wound clamp of claim ~~2~~ 1 wherein the cut out portions are flared.

6. (Currently amended) The wound clamp of claim ~~2~~ 1 wherein the cut out portions are beveled.

7. (Currently amended) The wound clamp of claim ~~2~~ 1 wherein the cut out portions are chamfered.

Response

The Official Action mailed October 24, 2006, has been received and its contents noted carefully. Claims 1, 2 and 5-7 have been rejected under 35 U.S.C. §102 as being anticipated by Utz '027. Claim 3 has been rejected under 35 U.S.C. §103 as being unpatentable over Utz '027 in view of Jugenheimer, et al. (US Pub. No. 2004/0097982). Claim 4 has been rejected under 35 U.S.C. §103 as being unpatentable over Utz '027 in view of Bradley, et al. '367. Claims 1-7 have been provisionally rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1 and 3-8 of co-pending Charles, et al. ((US Pub. No. 2004/0133218 and further in view of Hubbes (DE891452).

With respect to the double patenting rejection, applicants will file an appropriate Terminal Disclaimer upon allowance or this case.

With respect to the rejection of the claims based on Utz, the Examiner has taken the position that Fig. 1 of this reference illustrate cut out portions that form a central aperture. Applicant's are at a loss to understand what feature illustrated in Fig. 1 of Utz discloses a central aperture. To the extent that the Examiner is referring to edges 6 of blades 5, or corrugations 7, the Examiner has misinterpreted Utz:

The embodiment of the wound clamp shown in FIG. 1 is constructed according to the clothespin principle, that is, both clamp parts (1) are positioned to pivot with respect to one another on a common axis (2). A torsion spring (3), which is provided around the axis (2), presses the sides of the clamp parts (1), which are formed as handles, away from one another, and thus correspondingly presses the clamping blades (5) against one another. This construction permits, through the application of the law of leverage, a large spreading of the clamping blades (5), with comparatively smaller swivelling of the handles (4). Furthermore, the handles (4) can be held with just two fingers, and the clamp is therefore simple to operate. The compression edges (6) of the clamping blades (5), which are intended to come into contact with the skin are, in this embodiment, formed in a corrugated manner. The corrugation peaks (7) of the compression edges which oppose one another are aligned opposite. The roundings of the corrugation peaks prevent, on the one hand, a puncturing of the skin, and, on the other, they increase the specific pressure on the skin, and thereby improve the adhesion of the applied clamp in comparison with straight edges. A further advantage of this embodiment consists of the fact that the clamp for post-operative swellings in the area of the suture of the wound allows sufficient space above

the compression edges. There are clamp systems in which this is not the case, and which therefore leave traces in the scar, which are known under the name of "Strickleiter syndrome". The clamp blades (5) extend from the axis (2) in a curved line externally. In the lowest area, the clamp blades are angled at about 90.degree. inwardly, so that the clamping blade surfaces (5') lie in a plane with the clamping blade. This plane touches the skin somewhat tangentially. The compression edges (6) of the clamping blade surfaces (5') thereby move the wound edges roughly parallel to the surface of the skin.

In FIG. 2, further examples of advantageous compression edges (6) on the clamping blades (5) are shown. All these embodiments are so constructed that they never puncture the skin, but nonetheless guarantee a satisfactory adhesion of the clamp to the skin, so that only the epithelial layer of the skin, at the most, is ever traumatized.

FIG. (2a) shows compression edges with semi-circular peaks (8) facing one another, which have a specific distance (9) from one another. In FIG. (2b), the compression edges have short, straight protuberant parts (10) with rounded corners, which are likewise positioned at a certain distance (9) from each other. In FIG. (2c), the protuberant parts are formed by circular segments (11), which are arranged in rows in series with each other. The arrangements in FIGS. (2d) and (2e) show protuberant parts, which are formed by corrugated peaks (7) of shafts with varying radii of curvature.

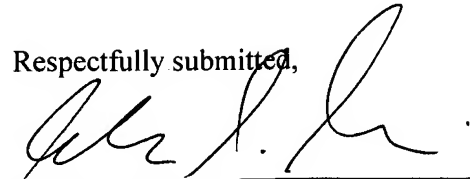
Column 3, lines 25-68, Figs. 1 and 2

Although Figs. 1 and 2 might show a small gap between blades 5, the above discussion makes it clear that the edges of blades 5 are intended to contact and close the skin surrounding an incision. In fact, the improvement disclosed in this reference, corrugations 7, are discussed as having an improved clamping ability. Whatever gap may exist in the clamp when not in use is intended to disappear when the clamp is actually applied to an incision. Accordingly, the Examiner's rejection of the claims based on Utz '027 is not well-taken and applicants respectfully request that it be withdrawn.

S/N: 10/840,123  
Filed: May 6, 2004  
**AMENDMENT AND RESPONSE**  
Page 5

Applicants respectfully request that claims 1 and 3-7 be allowed and that a patent containing these claims issue in due course.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jeffrey S. Schira', is written over a horizontal line.

Jeffrey S. Schira  
Reg. No. 34,922  
Attorney for Applicants

**Address for Correspondence:**

Jeffrey S. Schira  
Alcon Research, Ltd.  
IP Legal (TB4-8)  
6201 South Freeway  
Fort Worth, Texas 76134-2099  
(817) 551-3063